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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
11 321 North Spring Street, Los Angeles, CA 90012
12

13 JOSE QUIROZ,

14 Plaintiff,

15 -VS.-
16

17 VICTOR ALVAREZ, et al.,

18 Defendants.
19

No. CV 11-04722 DSF (Ex)

**JUDGMENT AND PERMANENT
INJUNCTION**

Hon. Dale S. Fischer

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21 Plaintiff Jose Quiroz filed this action for federal trademark infringement and
22 unfair competition under 15 U.S.C. § 1125(a)(1)(A), for dilution under 15 U.S.C. §
23 1125(c), for commercial disparagement under 15 U.S.C. § 1125(a)(1)(B), for state
24 law trade name infringement and dilution under California Business & Professions
25 Code §§ 14330 et seq. and §§ 14402 et seq., and for common law interference with
26 prospective business advantage, accounting and injunctive relief. The parties to this
27 action have stipulated to settlement of this action without adjudication of any issue
28 of fact or law.

1 the parties hereto.

2 2. Judgment is hereby entered in favor plaintiff Jose Quiroz and against
3 defendant Victor Alvarez on all causes of action of the Complaint.

4 3. Defendant Victor Alvarez, his officers, agents, servants and employees,
5 and those persons in active concert or participation with him who receive actual
6 notice of this Order by personal service or otherwise are hereby PERMANENTLY
7 ENJOINED AND RESTRAINED from engaging in or performing any of the
8 following acts:

9 a. Using the mark "Banda Limón," "Banda El Limón," the related marks
10 "La Original Banda El Limón", "La Original Banda El Limón de Salvador
11 Lizárraga," or any name or identification which contains the word "Limón," as
12 well as, and including, the letters "BL," in connection with advertising or
13 promoting of musical services or products of defendant or defendant's musical
14 group, or any person in active concert or participation with defendant;

15 b. Using the mark "Banda Limón," "Banda El Limón," the related marks
16 "La Original Banda El Limón", "La Original Banda El Limón de Salvador
17 Lizárraga," or any name or identification which contains the word "Limón," as
18 well as, and including, the letters "BL," in any manner for the purpose of
19 enhancing the commercial value of the musical services or products of defendant
20 or defendant's musical group, or any person in active concert or participation with
21 defendant;

22 c. Contacting promoters, advertisers or other business for the purposes of
23 offering the musical services or products of defendant, or any person in active
24 concert or participation with defendant, in connection with the mark "Banda
25 Limón," "Banda El Limón," the related marks "La Original Banda El Limón", "La
26 Original Banda El Limón de Salvador Lizárraga," or any name or identification
27 which contains the word "Limón," as well as, and including the letters "BL."

28 d. Utilizing the color green on advertising or promotion of the musical

1 services or products of defendant or defendant's musical group, or on the uniforms
2 or other clothing or jewelry worn by the members of defendant's musical group in
3 connection with the musical services and products of defendant and defendant's
4 musical group.

5 4. This Court shall have continuing jurisdiction over the Stipulation and the
6 Judgment of Permanent Injunction and over the parties to enforce the terms of the
7 same and to hear motions and applications for contempt or any other related
8 matter.

9 5. The parties shall be entitled to conduct post-judgment discovery for the
10 purpose of determining compliance and enforcing the terms of this Judgment and
11 Permanent Injunction.

12 6. Defendant Victor Alvarez is notified that as he has consented to
13 electronic service in this action, pursuant to Rule 5 of the Federal Rules of Civil
14 Procedure and Local Rule L.R.5-3.3 of this Court, service of the Judgment on him
15 by email NEF (Notice of Electronic Filing) shall constitute service under the
16 Federal Rules of Civil Procedure, as well as similar service by email of any notice,
17 motion, discovery or other post-judgment proceeding herein.

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19 IT IS SO ORDERED.

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21 DATE: 12/27/2012



22 HON. DALE S. FISCHER
23 United States District Judge
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